	ed States Patent	T AND TRADEMARK OFFICE	UNITED STATES DEPAR United States Patent and Address: COMMISSIONER F P.O. Box 1450 Alexandria, Virginia 22: www.uspto.gov	Trademark Office FOR PATENTS
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,371	06/21/2005	Jeffrey J. Spiegelman	3194.1026-006	3702
21005 7590 09/12/2008 HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133			EXAMINER CARRILLO, BIBI SHARIDAN	
			ART UNIT	PAPER NUMBER
concord, in			1792	
			MAIL DATE	DELIVERY MODE
			09/12/2008	PAPER

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<form>          Office Action Summary         Description         PERCENTION           10/823.31         Examiner         Art Unit           1782         Shindan Carrillo         1782          </form>		Application No.	Applicant(s)			
Identify     In the MALING DATE of this communication appears on the cover sheet with the correspondence address -     Interview in the interview of the interview of the cover sheet with the correspondence address -     Interview of the the interview of the cover sheet with the correspondence address -     Interview of the interview of the cover sheet with the correspondence address -     Interview of the cover sheet with the correspondence address -     Interview of the cover sheet with the correspondence address -     Interview of the cover sheet with the correspondence address -     Interview of the cover sheet with the correspondence address -     Interview of the cover sheet with the precise address of the communication,     Interview of the cover sheet with the precise address of the communication,     Interview of the communication of the communication,     Interview of the communicat		10/523,371	SPIEGELMAN ET AL.			
The MALINE DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION     Extension of the ray is called atom, the meaning and a login. SIX (b) MONTH (S) to RTHIRTY (30) DAYS,     which the provide of the provide address of 2014 11.13(a). In no work hower, they angle due to the communication.     Failure for any is called atom, the meaning and a login. SIX (b) MONTH (S) CR THIRTY (30) DAYS,     where y which is also to example the meaning and explicit of a captivity and counter flag due of the communication.     Failure for any is called atom, the meaning and the nonnunication, even if linely lined. They induce any     cancer provide the specification is in condition for allowance except for formal matters, prosecution as to the merits is     closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.     Disposition of Claims     4 ≦ Claim(s) <u>1.3.5.8.9.11-15 and 36-49</u> listare pending in the application.     4a) Of the above claim(s) is/are withdrawn from consideration.     4 ≦ Claim(s) <u>1.3.5.8.9.11-15 and 36-49</u> are subject to restriction and/or election requirement.     Application is objected to.     8 ⊠ Claim(s) <u>1.3.5.8.9.11-15 and 36-49</u> are subject to restriction and/or election requirement.     Application is objected to by the Examiner.     10  The specification is objected to by the Examiner.     Application application is objected to by the Examiner.     Application and request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.121(d).     The advend(s) field on <u>is/are: a)</u> accepted or b) objected to by the Examiner.     Application is objected to by the Examiner. Not the attached Office Action or form PTO-152.     Prointy under 35 U.S.C. § 119     12  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).	Office Action Summary	Examiner	Art Unit			
Period for Reply         A.SHORTENEE OF STUTUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. <ul> <li>Provide and the world be under the monitor of 37 CTR 1.136(a). In the world, have the mainty lated on the latexist on the mainty lated on the lated on the latexis</li></ul>		Sharidan Carrillo	1792			
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WHCHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.         • Extension of the many to available under the provide of 37 CFR 1136(.). In provent, however, may rapk the invest field         • Provide the Str (5) MONTHS from the mailing date of this communication.         • Provide the Str (5) MONTHS from the mailing date of this communication.         • Provide the Str (5) MONTHS from the mailing date of this communication, even if timely fluid, may reduce any communication (\$) filed on <u>29 October 2007</u> .         • Provide the Str (5) MONTHS from the mailing date of this communication, even if timely fluid, may reduce any communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnostic to communication (\$) filed on <u>29 October 2007</u> .         • Diagnost	Period for Reply					
1\\[\] Responsive to communication(s) filed on <u>29 October 2007</u> .         2a)       This action is FINAL.       2b)       This action is non-final.         3)       Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.         Disposition of Claims         4\\[>\] Claim(s) <i>f_13-5.8.9.11-15 and 36-49</i> is/are pending in the application.         4a) Of the above claim(s)       is/are rejected.         5\[-] Claim(s)       is/are rejected.         7\[-] Claim(s)       is/are objected to.         8\[\] Claim(s) <i>f_1.5.8.9.11-15. and 36-49</i> are subject to restriction and/or election requirement.         Application sis filed on	<ul> <li>WHICHEVER IS LONGER, FROM THE MAILING</li> <li>Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory perional frailure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the maximum state of the set of</li></ul>	DATE OF THIS COMMUNI 1.136(a). In no event, however, may a r od will apply and will expire SIX (6) MON tute, cause the application to become AB	CATION. reply be timely filed ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).			
2a	Status					
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## **DETAILED ACTION**

## Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the substrate, wherein the substrate comprises a silicon substrate or wafer, an ultrahigh purity gas line component, valve, electropositive surface, and an electropolished surface. The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 for example is generic.

There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species, including any claims subsequently added. An argument that a Application/Control Number: 10/523,371 Art Unit: 1792

claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election of the species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-

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1297. The examiner can normally be reached on M-W, F 6:30-5:00pm, alternating Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

> /Sharidan Carrillo/ Primary Examiner, Art Unit 1792

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